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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/868,364	10/12/2001	Franz Schellhorn	12406-126001	8559
26161	7590	12/05/2008	EXAMINER	
FISH & RICHARDSON PC			RUDE, TIMOTHY L	
P.O. BOX 1022				
MINNEAPOLIS, MN 55440-1022			ART UNIT	PAPER NUMBER
			2871	
			NOTIFICATION DATE	DELIVERY MODE
			12/05/2008	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
09868364	10/12/2001	SCHELLHORN ET AL.	12406-126001

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EXAMINER

TIMOTHY RUDE

ART UNIT	PAPER
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2871	20081126
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Commissioner for Patents

Applicant's after final response filed 10 November 2008 has been fully considered.

Consistent with discussions of 14 October 2008, examiner maintains the amendment filed 11 March 2008 is non-responsive due to amending all claims to read on a non-elected species.

The office action (final rejection) mailed 10 July 2008 is hereby vacated.

The amendment filed on 11 March 2008 amending all claims to be drawn to a non-elected invention is non-responsive (MPEP § 821.03). That amendment is not entered. The claims are not readable on the elected invention because:

Elected projections do NOT have two non-lateral surfaces connected by lateral surfaces as claimed (mutually exclusive structural difference).

Please note, newly added limitations "connected by lateral surfaces" are not considered to read on Applicant's previously claimed "light exit face" and/or "surface lying opposite the light exit face".

Since the above-mentioned amendment appears to be a bona fide attempt to reply, applicant is given a TIME PERIOD of ONE (1) MONTH or THIRTY (30) DAYS, whichever is longer, from the mailing date of this notice within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD UNDER 37 CFR 1.136(a) ARE AVAILABLE.

/TIMOTHY RUDE/
Primary Examiner, Art Unit 2871